

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/22/2023

NIKE, INC.,

Plaintiff,

v.

BY KIY LLC,
NICKWON ARVINGER,
DAVID WEEKS,
RELOADED MERCH LLC,
BILL OMAR CARRASQUILLO, and
XIAMEN WANDERING PLANET IMPORT AND
EXPORT CO., LTD.

Defendants.

Case No. 1:22-cv-10176-VM

ORDER

VICTOR MARRERO, United States District Judge.

Upon review of the Joint Motion to Sever between Plaintiff Nike, Inc. (“Nike”) and Defendants By Kiy LLC, Nickwon Arvinger, and David Weeks (collectively, the “By Kiy Defendants”) (Dkt. 66), it is hereby

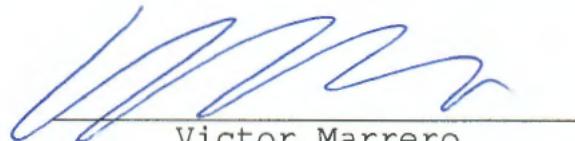
ORDERED that Nike’s and the By Kiy Defendants’ claims and counterclaims against each other in the above-captioned action are severed into a new, separate action (the “New Action”); and it is further

ORDERED that the Clerk of Court is to open the New Action and assign the New Action to United States District Judge Victor Marrero; and it is finally

ORDERED that the Clerk of Court is to docket in the New Action copies of the documents in the above-captioned action that relate to Nike’s and the By Kiy Defendants’ claims and counterclaims against each other, which are ECF Docket Nos. 1–5, 9–13, 17–18, 21–45, 52–53, and 63–65.

This Order severing Nike's and the By Kiy Defendants' claims and counterclaims against each other into the New Action does not impact Nike's claims against the other defendants in the above-captioned action—*i.e.*, Reloaded Merch LLC, Bill Omar Carrasquillo, and Xiamen Wandering Planet Import and Export Co., Ltd. Those defendants and Nike's claims against those defendants will remain in the above-captioned action with no change to the documents or the docket in the above-captioned action.

SO ORDERED this 22nd day of March, 2023.



Victor Marrero
U.S.D.J.